

## Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 INR-07  
NSAE-00 PA-01 USIA-06 PRS-01 SP-02 COME-00 EB-08  
LAB-04 SIL-01 /056 W  
-----130598 122029Z /53

R 121841Z JAN 78  
FM AMEMBASSY MADRID  
TO SECSTATE WASHDC 3089  
INNO RUFHOL/AMEMBASSY BONN 3256  
AMEMBASSY BRUSSELS  
AMEMBASSY COPENHAGEN  
AMEMBASSY LISBON  
AMEMBASSY LONDON  
AMEMBASSY OSLO  
AMEMBASSY PARIS  
AMEMBASSY THE HAGUE  
USMISSION USNATO  
USMISSION GENEVA

LIMITED OFFICIAL USE SECTION 01 OF 02 MADRID 00361

USEEC AND USOECD ALSO FOR AMEMBASSIES

E.O. 11652 N.A.  
TAGS: ELAB, SP  
SUBJECT: GOVERNMENT LEGISLATION ON TRADE UNION  
ACTIVITY IN THE PLANT

REF: MADRID 9825-77

1. SUMMARY. THE GOVT HAS PRESENTED TO THE CORTES  
(PARLIAMENT) PROPOSED LEGISLATION COVERING TRADE  
UNION ACTIVITY IN THE PLACE OF WORK - A NEW STAGE IN  
THE LONG ROAD TOWARDS CONSOLIDATION OF DEMOCRACY IN  
SPAIN, AS LABOR MINISTER JIMENEZ DE PARGA PUT IT.

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LABOR'S INITIAL REACTION HAS BEEN ONE OF "UNPLEASANT  
SURPRISE". THE UGT IS PARTICULARLY CRITICAL OF THE  
TACT THAT THE GOVT - IN THE MIDST OF THE CURRENT  
PLANT ELECTION CAMPAIGN - SHOULD BE CALLING FOR NEW  
PLANT ELECTIONS WITHIN THREE MONTHS AFTER PASSAGE  
OF THE BILL. DESPITE THE PERHAPS UNDULY HARSH UNION  
REACTION, THERE SHOULD NONETHELESS BE ROOM FOR

MODIFICATION AND COMPROMISE DURING THE CORTES DEBATE  
OO THE BILL. END SUMMARY.

2. AS ANTICIPATED IN THE DECEMBER 6 "TRANSITIONAL" PLANT ELECTION DECREE (REFTEL), THE GOVT ON JANUARY 10 PRESENTED THE PROPOSED TEXT OF LEGISLATION GOVERNING TRADE UNION ACTIVITY IN THE PLACE OF WORK, AND REQUESTED THAT IT BE TREATED ON AN "URGENT" BASIS. IN ADDITION TO INCORPORATING THE PLANT ELECTION PROCEDURES OF THE DECEMBER 6 DECREE, THE PROPOSED LEGISLATION CALLED FOR THE FOLLOWING: A) NO DISCRIMINATION BECAUSE OF TRADE UNION ACTIVITIES; B) NO FORMATION OR SUPPORT OF UNIONS BY MANAGEMENT; C) PLANT LABOR REPRESENTATIVES TO BE ELECTED FOR 2 YEARS ONLY, BUT MAY BE RE-ELECTED; D) THE PLANT COMMITTEES (COMITES DE EMPRESA) TO INHERIT THE FUNCTIONS, RIGHTS AND PRIVILEGES OF THE VERTICAL STRUCTURE SSO-ERA PLANT COMMITTEES (JURADOS DE EMPRESA); E) COVERAGE TO EXTEND TO ALL PRIVATE AND PUBLIC FIRMS, BUT EXCLUDING MILITARY ESTABLISHMENTS; F) THE SYSTEM OF TWO SEPARATE ELECTORAL COLLEGES TO BE MAINTAINED: ONE FOR TECHNICAL AND ADMINISTRATIVE WORKERS (WHITE COLLAR), A SECOND FOR SKILLED AND UNSKILLED WORKERS (BLUE COLLAR); AND G) OVERALL PLANT ELECTIONS TO BE CALLED WITHIN THREE MONTHS OF PASSAGE OF THE LEGISLATION.

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3. LABOR MINISTER JIMENEZ DE PARGA COMMENTED AS FOLLOWS ON THE PROPOSED LABOR LAW. IT WAS A NEW STAGE IN THE LONG ROAD TOWARDS CONSOLIDATION OF DEMOCRACY IN SPAIN, AND WAS IN ACCORDANCE WITH GOVT POLICY IN THE FIELD OF INDUSTRIAL RELATIONS. IT WAS INTENDED THAT THE LAW GUARANTEE WORKER REPRESENTATION IN THE PLACE OF WORK AND STRENGTHEN THE "PROPER OPERATION" OF BUSINESSES - WITH PARTICULAR ATTENTION TO SMALL AND MEDIUM-SIZE BUSINESSES.

4. LABOR'S INITIAL REACTION HAS BEEN ONE OF "UNPLEASANT SURPRISE". IN PARTICULAR, THE TRADE UNIONS HAVE DENOUNCED THE LACK OF CONSULTATION AND THE GOVT'S "UNILATERAL" HANDLING OF THE MATTER. THE COMMUNIST-DOMINATED WORKERS' COMMISSIONS (SWC) ALSO COMPLAINED THAT NEITHER THE RIGHT TO STRIKE ISSUE NOR THE ROLE OF UNION PLANT LOCALS WAS COVERED BY THE BILL. (THE EMBASSY WOULD COMMENT THAT THE GOVT INTENDS THAT SEPARATE LEGISLATION SHOULD COVER SUCH MATTERS AS THE RIGHT TO STRIKE, COLLECTIVE BARGAINING, AND OTHER MAJOR LABOR ISSUES.) IN ADDITION, THE SWC OBJECTED TO THE COMPARISON MADE BETWEEN THE SSO-ERA

AND THE PROPOSED NEW PLANT COMMITTEES "WHICH IS NOT THE WAY WE WANT TO SEE DEMOCRACY COME TO THE PLANTS". FOR ITS PART, THE SOCIALIST UGT IN PARTICULAR DENOUNCED THE "OPPORTUNISM" AND "MANIPULATION" OF THE GOVT WHICH - IN THE MIDST OF THE PLANT ELECTION CAMPAIGN AND WITH "ABSOLUTE DISREGARD FOR THE ECONOMIC SITUATION" - WAS CALLING FOR NEW PLANT ELECTIONS WITHIN THREE MONTHS OF PASSAGE OF THE BILL. THE UGT ALSO POINTED OUT THE LACK OF RECOGNITION OF UNION PLANT LOCALS, TERMING THE OMISSION "A NEW ATTACK ON THE DEVELOPMENT OF STRONG AND RESPONSIBLE TRADE UNIONISM".

5. COMMENT. WHILE THE TRADE UNION REACTION APPEARS TO BE UNDULY HARSH, IT WOULD SEEM THAT THE GOVT COULD LIMITED OFFICIAL USE

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HAVE MADE SOME EFFORT TO CONSULT WITH LABOR - PARTICU-

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INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 INR-07  
NSAE-00 PA-01 USIA-06 PRS-01 SP-02 COME-00 EB-08  
LAB-04 SIL-01 /056 W  
-----130611 122028Z /53

R 121841Z JAN 78  
FM AMEMBASSY MADRID  
TO SECSTATE WASHDC 3090  
INNO RUFHOL/AMEMBASSY BONN 3257  
AMEMBASSY BRUSSELS  
AMEMBASSY COPENHAGEN  
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LARLY IN VIEW OF THE FACT THAT THE PSOE ALSO HAS A  
PROPOSED BILL ON THE SAME SUBJECT PENDING IN THE  
CORTES (MADRID 10074-77). IN ANY EVENT, THE  
LEGISLATION WILL NOW BE DEBATED IN THE CORTES AND  
THERE WILL BE OPPORTUNITY FOR MODIFICATION AND  
COMPROMISE. IT SEEMS ESPECIALLY INAPPROPRIATE TO  
SUGGEST NEW PLANT ELECTIONS WITHIN THREE MONTHS OF  
PASSAGE OF THE BILL, AND THAT STIPULATION LENDS ITSELF  
TO AMENDMENT. STABLER

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## Message Attributes

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